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Mr Timothy Phelps Complaint & Deposition. New Hampshire Grants. In assembly Feb 1784 read and ~~report~~ referred to a joint Committee (viz, Mr Board Mr Lamb Mr Nicholson Mr Lee & Mr Lot from the assembly  
 Mr Duane Mr Paine & Mr Hays from the Senate.

Mr Timothy Phelps

High Sheriff of the County of Cumberland examined before the whole Committee of the Senate Declares that he became acquainted first with the District of County commonly called the <sup>new</sup> Hampshire Grants in the year 1766. That about or shortly after that time Commissions Civil and Military under the authority of the then Governor of New York were sent up into the said District & the Inhabitants thereof accepted the said Commission and the militia was trained and Courts of Justice established by virtue thereof. That the South Eastern part of the said District in which the Examinant resides was erected into a County under the said Government by the name of Cumberland. That a Goal and Court House were built by a law of the then Government of New York in and for the said County of Cumberland where to the certain knowledge of the Examinant Courts of Justice were frequently held under the authority of New York. That the Examinant well knows that at the commencement of the late Contest with Great Britain the said District was represented in the Convention for the State of New York by certain of the Inhabitants chosen for that purpose. That this Depoent also well knows that about the same time the Convention supplied the said District with arms & ammunition & that Troops were raised & Officers Commissioned within the same under the authority of the said Convention & that payments were made to the said Troops by the said Convention for their services. That the Depoent was one of those <sup>of the</sup> inhabitants who uniformly submitted to the Jurisdiction of the Government and State of New York & that he accepted of a Commission of High Sheriff of the County of Cumberland under the authority of the said State of New York. That he was taken into Custody by a warrior under the pretended authority of Vermont.

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for high treason against the said pretended State on or about the ninth day of September 1782 & a few days afterwards was condemned after a sham trial for high treason - that the only charge or act of treason alleged against the said Examinant on the said trial was his having accepted the said commission & been qualified for the faithful execution of the said office under the authority of New-York - that from the time of the Dependants being committed which was about the eleventh day of the said month of September to the fourth day of October following he was confined in close custody - that he was sentenced to be banished forever from the limits claimed by the Vermonters never to return <sup>but</sup> on pain of death & to forfeit to the use of the Vermonters all his lands & Goods - that this Examinant was according to his sentence carried by a strong guard across Connecticut River into the State of New-Hampshire and his sentence of Banishment was there read to him by one Samuel Avery who executed the office of Dept. Sheriff under the pretended State of Vermont - that all the Examinant's goods were sold except his wives apparel, the beds and one cow and the money taken for the use as he verily believes of the Vermonters. that when this Dependent was committed to Goal in manner aforesaid twenty other persons were also committed many of them for being officers under the authority of the State of New-York & the rest for professing themselves to be and acting as citizens or subjects of the State of New-York. that three of the said persons (viz, Col. Timothy Church. Maj. William Whittick & Major Henry Evans respectively received the same sentence & treatment as this Examinant & were banished with him in like manner the rest of the persons so committed he is informed & verily believes were severally fined. that this Examinant remained in Banishment untill the United States in Congress assembled passed the act of the

day of for the protection of the Examinant and other sufferers from the arbitrary conduct of the Vermonters. that in full confidence that the authority of the United States would be respected & the Examinant enjoy full protection under the sanction of the said act he the Examinant about the latter end of May January 1783 returned to his house and former residence in the County of Cumberland aforesaid that on or about the 5<sup>th</sup> day of February following one Pelkanah Day exercising the office of Sheriff under the said pretended State took the Examinant prisoner and immediately carried him to Bennington &

confined him there in goal until the 25<sup>th</sup> day of June last.  
 That Examinant underwent a rigorous Imprisonment that he was fre-  
 quently insulted & kept on very bad food the meat having been condemned  
 (as heard the Dozier say) as unfit for the soldiers. That the severity of this  
 treatment and the loathsomeness of the Goal finally brought him to a  
 low languishing & sickly condition which he was apprehensive would put  
 an end to his life. That this Examinant complained to Moses Robinson  
 who exercised the office of Chief Justice of the said pretended State  
 of the disrespect which was paid to the same act & recommendation  
 of Congress. That the said Robinson treated the authority of Congress  
 with the utmost disdain & asked the Examinant how they he could  
 think they the Vermonters would pay any regard to it. That for the  
 said Robinsons part he did not value it in the least or words to  
 that effect. And the Examinant saith that he frequently heard many  
 of the principal Vermonters use the most opprobrious & disrespectful  
 expressions with respect to the authority and recommendations of  
 Congress. That at length the Examinant was liberated on his petition  
 & on giving bonds for large security for his good behaviour.  
 Conditions to which he submitted for the preservation of his life. That  
 about three months ago the Vermonters raised two hundred State troops  
 for the immediate purpose of conquering the Inhabitants of said  
 District who profess to owe allegiance to the State of New-York  
 that they had lately collected part of the said troops at Brattleborough  
 when more were expected and this Deponent is well informed that  
 ammunition & warlike stores are collecting at the last mentioned  
 town & that the common conversation is that they will burn up &  
 ruin the Yorkers. That the examination on or about the 19<sup>th</sup> day  
 of January last being at Haverley in Massachusetts Bay on a journey  
 a party of five men three of them State troops so raised by the Vermont-  
 ers took this Examinant and his Brother who is an inhabitant of  
 Haverley aforesaid Prisoner they bring them both at his said Brothers  
 house - That they put this Examinant under a Guard who carried  
 him to Hatfield declaring they would carry him to Bennington  
 Goal where the party was joined by about twelve more of the  
 troops & about twelve miles from Hatfield he was rescued by the  
 High Sheriff of the County of Hampshire in the Massachusetts  
 Bay attended by his posse & Oliver Waters who had been most active

in seizing the Examinant and six of his companions were made Prisoners by the said Sheriff. That this Examinant was then set at liberty & the prisoners so taken into custody by the Sheriff prosecuted and punished. and this Deponent further saith that he received the several papers hereunto annexed from the hands of Samuel Mosby Esq; one of the Justices of the Peace for the County of Cumberland & that he had reason to believe that they are original papers.

and further the Examinant saith not

Wm. J. Phelps.

Sworn this fifth day of Feb. 1784 -

& the eleven papers annexed in the presence of the Senate  
Before me.

R. Morris.

Complaint of Col. Church and  
Major Evans that the Vermonters  
have levied war against the Yorkers.

To his Excellency George Clinton Esq. Commander in  
Chief of the State of New York.

May it please your Excellency -

Sir -

I now presume to lay before your Excellency matters  
of fact relating to the conduct of the people of Vermont and the  
sufferings of those who profess themselves subjects to the State of New  
York on the evening of the eighteenth day of January last we had  
certain intelligence of a body of Vermonters to the number of two  
hundred with artillery <sup>coming</sup> against us. Monday the nineteenth they arrived  
in Guilford. The Yorkers to the number of thirty seven assembled.  
Tuesday morning we marched near to the line of the Commonwealth  
of Massachusetts. The Enemy pursued us and fired upon us we returned  
the fire ~~an~~ smart engagement ensued several of our men are missing  
whether killed or taken we cannot ascertain. We then retreated into  
the Bay State where we now remain and live on the charity of the  
People. The best Intelligence we can get the Enemy had three men  
wounded they are reinforced by two hundred men more. We are  
drove from our habitations our houses are plundered our property taken  
from us & we are in a very miserable situation and implore your  
Excellency's interposition our case being really deplorable - We farther  
inform your Excellency we sent a flag to our unnatural Enemy  
that we would yield a passive obedience until the rising of their  
assembly provided we might return to our respective places of abode &  
live peaceably. They were so void of Humanity & acted contrary to the  
laws of Nations. That they detained our flag & as we are informed  
confined him immediately & imprisoned him with 18 more of Guilford  
men that were peaceably at home. Your Excellency by this short account  
will see our desperate condition and grant us relief -

I am Sir with great respect your  
Excellency's most humble and obedient  
servt and sufferer

Timothy Church.

P.S. There is numbers that were not with us at first that have made

Their escape & joined us as they cannot live with their families  
should be far from dictating or being prolix.

But earnestly entreat your Excellency if it may be consistent with  
honor to write to the Governor of the Commonwealth of Massachusetts  
to send us some relief.

To his Excellency Governor Clinton Esq.

Sir

We your humble Petitioners humbly pray that your Excellency would adopt some speedy measures that we have relief from the oppressive hand of Vermont & a stop to other hostile measures which they are only using against us the subjects of New-York & the resolves of the Honorable Congress. There is a list of some of the grievances which we your loyal subjects have rec<sup>d</sup> from the apprehensive hands of Vermont which causes us to be under arms Day and Night - (viz) Dec 25<sup>th</sup> 1783. When Oliver Waters took William Phamuck and confined him in prison and there confined him in Trans. Jan 3<sup>d</sup> 1784.

Committed the Body of Esq. Phelps to Prison Jan 4<sup>th</sup>. made prisoner of Sergeant Peter Clark Jan 8<sup>th</sup>. Then broke open the house of Lieut. Francis Prouty took and confined him in prison - Jan 11<sup>th</sup>. Then took the body of Eleazer Church & committed him to prison and loaded him with chains.

The Vermonters <sup>by information</sup> have an army four or five hundred men under arms in several divisions namely in Brattleborough Marlborough and Holiford & many of the officers of the pretended State of Vermont have threatened us the York party if they will not submit to them and pay perfect obedience unto their authority that they will kill burn and destroy all before them.

Therefore we your humble Petitioners pray that your Excellency would adopt some speedy measures for our relief that the resolves of Congress may be put into execution or else we are an undone people this from your humble Servant.

Samuel Church. Col.

Henry Evans Maj.

Dated at Guilford this 16<sup>th</sup> day of January 1784

(Capt) Pecks Deposition.

(Elisabeth)

To the Honorable Continental Congress of the United States of America.

Upon the Eighth day of January the Permoners came and broke into my house by force & violence & inquired for Capt Peck and then plundering in every place in the house took a sword and carried the sword of and there was five that came into the house & came out at the door the above men were armed.

Elisabeth <sup>her</sup> Peck  
mark

Guilford January 14<sup>th</sup> 1784. Then Elisabeth Peck appeared before me and was duly sworn that the above deposition is the truth.

Samuel Birby Justice of Peace  
for the County of Cumberland  
& State of New-York

& B. The above Permoners came into my house about twelve o'clock at night.

To Oliver Waters Constable of Walifax Greeting. In the name and by the authority of the Freemen of the State of Vermont you are commanded (taking with you all needed assistance) to apprehend the bodies of Henry Evans of Guilford Church of Brattleborough & them have before me or some other Justice of the Peace to answer for treasonable practices against the Government & the State of Vermont and to be further dealt with as the law directs hereof fail not. Given under my hand this 10<sup>th</sup> day of January 1784.

Nathan Irish Just<sup>ice</sup> Peace.

Westminister Jan<sup>y</sup> 12<sup>th</sup> 1784. Then by virtue of this writ I apprehended the body of Eleazer Church & him had before Nathan Irish Esq Justice of Peace

Oliver Waters Const

Brattleborough the 13<sup>th</sup> January 1784 in obedience to the said command I have taken the body of the within named Nathaniel Chandler & have him <sup>here</sup> before your Worship.

Oliver Waters Const

Travel, service & assistants

Arlington 10th January 1784.

Gentlemen

I received a request signed by you and others which appeared to be designed for the consideration of the authority of this State viewing it to have come only from those in opposition to this Government it would not admit of an answer for many reasons which appear obvious from the tenor and style of the writing. I shall however inform you my friends my sentiments respecting the matter contained in it the prospects I have had which is well known to you since the rising of the assembly of a general submission which was the only object of Government has been the only cause of the unexpected delay of the march of the Troops.

I am very certain were the assembly now sitting they would have no bargain to make with the people who have given us so much trouble without any object I cannot say what might be done by them to prevent the march of Col Wrights Troops this I can say that nothing short of an immediate & universal submission can effect it.

I am Gentlemen

your &amp; servant

Wm. Chittenden

To Mr John Bridgman Esq Samuel Knight Esq Capt John  
Moughton & Johnathan Hunt Esq.

To the Honorable Continental Congress of the United States of America—

Upon the eighth day of January 1784 the vermonsters came and broke into my house by force and violence and inquired for Major Evans & then took a candle out of their pockets & lit it and then plundered the house & carried off a gun & ammunition & sword and there was about five that came into the house & came out of the door the men was armed—

Abigail <sup>her</sup> Evans  
mark.

Guilford January 15<sup>th</sup> 1784.

When Abigail Evans personally appeared before me and was duly sworn that the above Deposition to be the truth.

Samuel Birby Justice of the Peace for the County of Cumberland & State of New-York—

N. B. The above vermonsters came into house about one o'clock in the morning—

To the Honorable Continental Congress of the United States of America—

Upon the eighth day of January 1784. the vermonsters came and broke into my house by force and violence & inquired for Mr Broad & took a candle out of their pockets & lit it & they made search for guns & swords in every place in the house about four or five under arms.

January 15<sup>th</sup> 1784—

Parah Broad—

Guilford, When Parah Broad personally appeared before me and was duly sworn the above Deposition to be the truth.

Saml Birby Justice of the Peace for the County of Cumberland & State of New-York—

N. B. The above vermonsters came in about 3 o'clock in the morning—

29<sup>th</sup> March 1784 William White's  
Affidavit. New Hampshire Grants.

State of New-York }  
City of New-York } p.

The Deposition of William White of Guilford in the County of Cumberland deposeth and saith that on the sixth day of this instant march he saw Daniel Spicer (an Inhabitant of the State of Massachusetts Bay & who never had any concern in the dispute about the New-Hampshire Grants) about four hours before his death & informed the Deponent that he was in the night preceeding wounded by a party of soldiers raised by the pretended State of Vermont & who had also robbed him of all he had but his cloaths & that the said Daniel Spicer said that he never heard them hail him that by reason of the said Spicers being scarcely unable to speak the Deponent did not ask him any further questions - that the man of the house where he the Deponent saw the s<sup>d</sup> Daniel Spicer informed the Deponent that in the night preceeding a number of armed soldiers raised by the pretended State of Vermont brought the said Spicer to his house & left him on the floor & went away swearing that they wished Lieut. Goodenough was in the same condition - that the s<sup>d</sup> David Spicer had received two wounds one of which occasioned his death on the said sixth day of March -

That the Vermonters continue to harass Imprison Banish & confiscate the property both real and personal of all those who acknowledge the Jurisdiction of the State of New-York within the Boundary of the New-Hampshire Grants.

And further the Deponent saith not.

Wm White  
Sworn this 29<sup>th</sup> day of March A.D. 1784. before me.

Thos Morris

Representation of the Delegates for New-Y.  
 resp<sup>d</sup> the New- Hampshire grants read April 24.<sup>th</sup>  
 1784 referred to Mr. Read, Mr. Sherman, Mr. Ellery  
 Mr. Hardy and Mr. Partridge

To the United States of America in Congress assembled  
 The underwritten Delegates for the State of New-York have the honor  
 in obedience to an express instruction from the Legislature of the said  
 State to represent that in compliance with an act of Congress bearing  
 date the twenty fourth day of September 1779 in which act of Congress  
 it is among other things declared that disputes at present subsist between  
 the States of Massachusetts Bay - New-Hampshire & New-York on the  
 one part & the people of the District called the New-Hampshire  
 Grants on the other, which people deny the Jurisdiction of each of  
 the said States over the sd District & each of the sd States claim the sd dis-  
 trict against each other as well as against the said people as appertain-  
 ing in whole or in part to them respectively.

Resolved - unanimously that it be and hereby is earnestly recommended  
 to the States of New-Hampshire - Massachusetts Bay & New-York forthwith  
 to pass laws expressly authorizing Congress to hear and determine &  
 determine all differences between them relative to their Respective  
 boundaries in the mode prescribed by the articles of Confederation  
 so that Congress may proceed thereon by the first day of Feb-  
 next at farthest & further that the sd States of Massachusetts Bay  
 New-Hampshire and New-York do by express laws for that purpose  
 refer to the decision of Congress all differences or disputes relative  
 to Jurisdiction which they may respectively have with the people  
 of the District aforesaid so that Congress may proceed thereon on  
 the said first day of Feb. next & also to authorize Congress to  
 hear and determine all disputes subsisting between the Granters  
 of the several States aforesaid with each other or with either of  
 the said States respecting title to lands lying in the sd District to  
 be heard and determined in the mode prescribed for such cases  
 by the articles of Confederation aforesaid and further to provide  
 that no advantage be taken of the non-performance of the conditions  
 of any of the Grants of the said lands but that further reasonable  
 time be allowed for fulfilling such conditions.

Resolved, unanimously that Congress will and do hereby page them

faith to carry into Execution & support their decision & determinations in favor of which-soever of the parties the same may be to the end that permanent concord & harmony may be established between them and all cause of uneasiness removed & that Congress will on the said first day of February next proceed without delay to hear and examine into the disputes and differences relative to a Jurisdiction aforesaid between the said three States respectively or such of them as shall pass the laws before mentioned on the one part & the People of the District aforesaid who claim to be a separate Jurisdiction on the other and after a full and fair hearing will decide and determine the same according to Equity. The Legislature of the State of New-York did on the 21<sup>st</sup> day of Oct. 1779 pass a Law entitled "An act to empower the Congress of the United States of America to determine all controversies relative to certain lands in the Counties of Cumberland Gloucester, Charlotte & Albany commonly called the New-Hamp Grants" by which said Act or Law the State of New-York did fully comply with the recommendation contained in the aforesaid (in part recited) Act of Congress as by comparing the s<sup>d</sup> Act of Congress will appear. That on the nineteenth day of September 1780. all the parties concerned in the s<sup>d</sup> controversy (Massachusetts Bay being excepted) being present Congress did attend to the hearing of the s<sup>d</sup> controversy but have not to this day decided upon the same. The under written further represent that the Inhabitants of the said District have paid no regard to the Act of Congress which inhibited the people of the said District who deny the Jurisdiction of all the aforesaid States from granting lands or exercising any authority over those who profess themselves to be Citizens of or to owe allegiance to any or either of the said States but in violation & contempt thereof have granted lands & exercised authority over those in the said District who profess ~~not~~ to owe & yield allegiance to the authority of the State of New-York to the utter ruin of many of the Citizens thereof. That the Inhabitants of this s<sup>d</sup> District have shown the utmost contempt of the Act of Congress of the fifth day of December 1782. by refusing to restore the Estates which they had confiscated belonging to persons who refused to yield allegiance obedience to the laws of the aforesaid State of Vermont. Although the said persons professed to owe & yield allegiance to the State of New-York and who were guilty of

no other offence. The Inhabitants of the <sup>sd</sup> District have likewise refused to set at liberty those who were in confinement for like causes aforesaid unless upon large bonds for their good behaviour & have actually taken up and confined in close jail divers of the citizens of the State of New-York who had been banished by the authority of the aforesaid State of Vermont aforesaid for the offence aforesaid & who returned to their habitations in the District aforesaid under the sanction of the last mentioned act of Congress. That the Inhabitants of the <sup>sd</sup> District under the name and style of the State of Vermont have in & during the course of the winter now last past actually raised troops & levied war upon & against the citizens of the State of New-York in Cumberland County in the District aforesaid where members were wounded made prisoners of & inhumanly loaded with Irons & confined in close jail while others were driven from their habitations and obliged to fly into the Neighbouring States and for no other cause than the offence aforesaid. - The undersigned further represent that the pretended Government of Vermont hath lately extended its claims & granted lands ever made by the Government of the late Colony of New-Hampshire & have actually seized the lands so granted although the same have long since passed to the Citizens of the State of New-York under the great seal of the late Colony of New-York. The undersigned further represent that the Legislature of the State of <sup>New-</sup>~~Vermont~~ to prevent the evils of civil discord have besides a cheerful compliance with the recommendation of Congress to submit the said controversy to their final determination made many liberal cessions in favour of those claimants particularly a certain act entitled "an Act for quieting the minds of the Inhabitants in the Northeastern parts of this State passed the 14<sup>th</sup> day of April 1782. by which said act the lands granted by New-Hampshire & by the pretended State of Vermont were confirmed to the claimants & even occupants without right were liberally provided for & that was no <sup>except</sup> ~~reservation~~ or reserve but in favor of the oldest patents in question. - The undersigned further represent that they are expressly instructed in the most pointed manner to press Congress for a decision of this long protracted controversy not on consideration of public expediency but consistently with the assurances of Congress according to Equity. That the State of New-York complains of the most grievous injustice done them by Congress by delaying the <sup>sd</sup> decision especially after a submission in compliance with the unanimous recommendations of Congress in full confidence that Congress would have



James Davidson's affidavit  
New- Hampshire Grants

State of New York }  
City of New York } P.

The Deposition of James Davidson late of Guilford in the County of Cumberland Deposeth and saith. That on the 2<sup>d</sup> day of January last he together with about thirty five others were compelled by a number of armed men who were raised by the pretended State of Vermont to leave their habitations and flee for refuge to the State of Massachusetts Bay where they now remain and since that time nearly an equal number of other persons have been reduced to the same circumstances. That they have had their Estates both real and personal attacked and a great part of the latter carried off so that their families are now in a deplorable situation for the want of the necessaries of life. That in the evening of the fifth of March instant & in the morning of the sixth of March aforesaid the Deponent did see and converse with Lieut. <sup>Daniel</sup> Goodenough & one Daniel Spicer & doth verily believe the following facts to be true (viz) That Lieut. David Goodenough one of the above expelled sufferers together with Daniel Spicer an Inhabitant of Massachusetts Bay and who never had <sup>(concern in the)</sup> any dispute about the New Hampshire Grants were in the night of the said fifth day of March aforesaid on the road leading from Barnards Town in Map to the house of the said Daniel Goodenough in the aforesaid Town of Guilford within the said Town of Guilford & in the public road & were fired upon by about thirty armed soldiers belonging to the pretended State of Vermont. That the s<sup>d</sup> David Goodenough and Daniel Spicer attempted to escape but after having about fifty guns discharged at them the said Daniel Spicer was wounded in two places one of which was through his Body which occasioned his death the next day. That the Vermonters coming up to him <sup>Spicer</sup> robbed him of his arms pocket book & some money and dragged him to a house about sixty rods distant and there left him. That when they saw Daniel Spicer thus wounded they expressed

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an earnest wish that the said David Goodenough was in a like situation. That on or about the twentieth day of February last a party of armed men soldiers from Vermont came to Northfield in the State of Massachusetts Bay and there ~~they~~ force and arms took and carried away Daniel Shephardson a sworn magistrate of the State of New-York & carried him Prisoner within the pretended State of Vermont &c where they have now a number of Citizens of the State of New-York confined in Laushams Goals after having confiscated their Estates. That the Vermonters continue to harass those who owe allegiance to the State of New York committing the most inhuman Robberies by night & by day stripping them of the little property they had left leaving them without the necessary means of support.

And further the Depoant  
saith n. a. James Davidson.

Sworn this 29<sup>th</sup> day of March.

Anno Domini 1784.

before me

R. P. Morris

State of Vermont.

Letter 26<sup>th</sup> April 1784. Thomas Chittenden  
to the President of Congress read July 8<sup>th</sup>  
ordered to lie.

Arlington April 26<sup>th</sup> 1784.

Sir.

With what respect for Congress which the citizens of  
State have ever maintained I beg leave to transmit to your Excellency  
the sentiments of the Council of this State on the late proceedings  
of the Senate and Assembly of the State of New-York respecting this  
State that your Excellency may lay the same before Congress for  
their consideration. On the 21<sup>st</sup> of October 1779 the Legislature of New-  
York passed a special law empowering Congress to hear and deter-  
mine the controversy between that State & this not upon the  
principles of the Confederation but according to Equity & on the  
7<sup>th</sup> & 21<sup>st</sup> of August 1781 Congress proposed preliminaries of a settle-  
ment of a settlement of the said controversy to this State which were  
accepted and fully complied with by the Legislature of this State  
at their session in Feb. 1782. The Legislature of the State of New-  
York in the November preceding had very spiritedly remonstrated  
against the preliminary settlement of Congress aforesaid on Contract  
from which remonstrance is as follows.

"Resolved, that in case of any attempt of Congress to carry into  
"execution their said acts of the 7<sup>th</sup> & 21<sup>st</sup> of August last this  
"Legislature will with all due deference to Congress are bound in  
"duty to their constituents to declare the same an assumption  
"of power in the face of the said act of submission of this State  
"against the clear letter and spirit of the second third ninth &  
"Eleventh Articles of Confederation & a manifest infringement  
of the same and do hereby therefore hereby solemnly protest against  
the same. But of late it appears the Senate & assembly of the State  
of New-York are again urging Congress to decide their controversy  
with this State. It seems they are willing Congress should settle  
the dispute as they have a mind not other wise. It appears from  
the late journals of the Senate of the State of New-York. "That the  
Delegates be further instructed to press Congress for a decision  
in the long protracted controversy respecting the right of  
this State to the District commonly called the New-Hampshire.

grants" and further but that if she must recur to force for the preservation of her lawful authority. The impartial world will pronounce that more of the bloodshed. Disorder Disunion which may ensue can be imputable to this Legislature as to this "Bloody Proposition" the Council of this State have only to remark that Vermont does not wish to enter into a war with <sup>the State of</sup> New-York but that she will act on the defensive & expect that Congress & the twelve States will observe a strict neutrality & let the two contending States settle their own controversy. as to any allegations of the State of New-York against the conduct of this State in bringing a few male-contents to Justice and obedience to Government whom they have inspired with sedition & I have only to observe that this matter has been managed by the wisdom of the Legislature of this State who consider themselves ~~beyond~~ herein amenable to no Earthly Tribunal.

Before I conclude this Letter I beg leave to remind your Excellency that it appears to the Council of this State improper that that the States of New-York & New Hampshire who are competitors for the Jurisdiction thereof should vote in Congress on any motion which respects Vermont & also contrary to an Express resolution of Congress of the 24<sup>th</sup> of September 1779 in the words following " & that neither of the sd States shall vote on any question relative to the decision" that is relative to the Independence of Vermont although it appears from the Journals of Congress that these claiming States have ever since voted on all matters in which the interest of this State has been concerned.

And I conclude this Letter with the satisfaction of reminding Congress that this State is still desirous of a Reconciliation with the United States.

I have the Honor to be Sir  
With the highest respect

Your Excellency's most  
Obedt & very humble servant.

John Chittenden

This Excellency

The President of Congress

Report on the Representation of the  
Delegates from New-York, New-Hampshire  
Grants into read May 29. 1784.

The committee consisting of Mr. Read, Mr. Sherman, Mr. Teller, Mr. Hardy,  
& Mr. Patridge to whom was referred the representation of the Delegates from  
the State of New-York respecting the controversy between the said State &  
the people inhabiting the Territory called the New-Hampshire Grants, made  
in pursuance of express instruction from the Legislature of the said State  
urging the necessity of an immediate ~~union~~ decision of the said controversy  
with sundry affidavits & other papers accompanying the same having carefully  
examined the said papers & the files and proceedings of Congress respect-  
ing the said controversy & maturely considered the case report thereon  
as follows. That by an act of Congress of the 17<sup>th</sup> of August 1781.  
reciting that the States of New-Hampshire & New-York had submitted  
to Congress the decision of the dispute between them and the people in-  
habiting the New-Hampshire Grants on the West side of Connecticut  
River called the State of Vermont concerning their respective claims  
of Jurisdiction over the said Territory & had been heard thereon  
& that the people aforesaid did claim and exercise the powers  
of a sovereign Independent State, & had requested to be admitted  
into the federal union of these States, it was among other things  
resolved. "That a Committee of five be appointed to confer with  
such persons or persons as may be appointed by the people residing  
on the New-Hampshire Grants on the west side of Connecticut River  
or by their representative body respecting their claim to be an  
Independent State. & on what terms it may be proper to  
admit them into <sup>the</sup> federal union of these States in case the United  
States in Congress assembled shall determine to recognise their  
Independence & thereof make report"

And it is hereby recommended to the people of the Territory  
aforesaid or their Representative Body, to appoint an agent or  
agents to repair immediately to Philadelphia with full powers &  
instructions to confer with the s<sup>d</sup> committee on the matters aforesaid  
& on behalf of the said people to agree upon and ratify  
terms & articles of union & confederation with the United States of  
America in case they shall be admitted into the union & the s<sup>d</sup>  
committee are hereby instructed to give notice to the agents

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of the States of New Hampshire & New-York to be present at the conference aforesaid".

And on the 8<sup>th</sup> day of said April August a Committee was accordingly appointed, who afterwards had a conference with Jonas Fay, Ira Allen, & Bezael Woodward, agents appointed by said authority of the people inhabiting the said Territory called the New-Hampshire Grants to repair to Congress & to propose to receive from them terms of a union with the United States.

That the Committee appointed as aforesaid having made their report to Congress on the 20<sup>th</sup> day of August 1781. came to the following resolution. "It being the p<sup>r</sup>incipal purpose of Congress to adhere to the guarantee to the States of New-Hampshire & New-York contained in the resolutions of the 7<sup>th</sup> instant, resolved. That it be an indispensable preliminary to the recognition of the Independence of the people inhabiting the Territory called Vermont & their admission into the federal union that they explicitly relinquish all demands of lands or Jurisdiction on the East side of the West bank of Connecticut River and on the West side of a line beginning at the North west corner, of the State of Massachusetts thence running twenty miles East of Benson's River so far as the said River runs North Easterly in its general course, then by the West bounds of the Township granted by the late Government of New-Hampshire to the River running from South Bay to Lake Champlain thence along the said River to Lake Champlain, thence along the waters to Lake Champlain to the latitude of forty five degrees north excepting a neck of land between Missisquoi Bay and the waters of Lake Champlain" which resolution was agreed by nine States.

That on the 19<sup>th</sup> of October 1781. The assembly of Vermont taking into their consideration the aforesaid act of Congress. Resolved that they could not comply with it without destroying the harmony then subsisting in that state & a violation of a solemn compact entered into by articles of union &c. as appears on the Journals of Congress of the 14<sup>th</sup> of April 1782.

That afterward on the 22<sup>d</sup> day of February 1782 the people inhabiting the said Territory called Vermont by their Representatives in General Assembly, in compliance with the aforesaid act of Congress then remaining unaltered & unrepealed came to the following resolution

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to wit. "Resolved that the West Bank of Connecticut River and a line beginning at the North-west corner of the Commonwealth of Massachusetts from thence Northward twenty miles east of Hudsons River as specified in the Resolutions of Congress in Aug<sup>r</sup>. last shall be considered as the East & West boundaries of this State & that this assembly do hereby relinquish all claims and demands to, & Jurisdiction in & over any and every district of Territory without said Boundary line. and afterward in 2<sup>d</sup> month of Feb. 1782. the said General assembly appointed Moses Robinson, Paul Spooner, Isaac Bichenor & Jonas Fay Esq<sup>r</sup>. agents with plenary powers on behalf of the people of the said district to negotiate and agree on terms for their admission into Confederation with these United States, and upon such admission to represent the said State of Vermont in Congress and it being now represented by the State of New York that great danger and distress will arise from a further delay of the decision of the 1<sup>st</sup> controversy and the people of Vermont having complied as aforesaid with the terms prescribed by Congress as a preliminary to the recognition of their Independence. Your Committee submit the following resolves—

Resolved, that the district of Territory lying on the West side of Connecticut River called Vermont, within the limits and boundaries described in the act of Congress of the 20 of August 1781 & the people inhabiting the same be and they are hereby recognized & declared to be a free, sovereign & Independent State by the name of the State of Vermont.

That the said State of Vermont being within the limits of the United States shall be considered as a part of the confederacy on the same principles as the new States who shall have established permanent Government agreeably to the act of Congress of the 23 day of April last, until it shall accede to the articles of confederation, and be admitted into the federal union of these States.

Resolved, that Congress adhere to the guarantee to the States of New-Hampshire & New-York agreeable to the resolutions of the 7<sup>th</sup> & 21<sup>st</sup> days of August 1781. & if it shall appear on running the line between the States of New-York and Vermont that the latter hath made any Encroachments on the Territory of the former

The same shall be immediately removed.

Your Committee further report with respect to <sup>the</sup> matters alleged by the Delegates of New-York concerning the sufferings of Indians by Banishment & confiscation of property & the disorders & violences that have happened in consequence of the opposite & interfering Jurisdictions exercised by the State of New-York & Government of Vermont over the same persons within the said District.

That the several letters & papers from the Governor of New-York & the people of Vermont relative to those matters have been heretofore committed & no report hath been made therein. Your Committee are therefore of opinion. That if Congress shall judge it expedient to take any further order respecting these matters it will be proper again to commit the said papers.

November 30<sup>th</sup>. 1784.

## To The Public

In pursuance of special directions from his Excellency Governor Chittenden, I am to cause the following letter addressed to his Excellency the President of Congress, to be communicated to the public through the channel of the Vermont Gazette, for their satisfaction & curiosity. It is the last transaction of this State with Congress, to which letter there has been no answer returned. I have further to observe that a few months past the Delegates of New-York, in Congress, presented a memorial, that they would make a resolution respecting the Independency of Vermont upon which Congress appointed a Committee which have reported that Vermont ought to be an independent State, but that it should be procrastinated until some southern States should likewise be connected and until the conditions of the administration of this State into the federal union of the United States should be agreed on. This is the last doing of Congress respecting this State that has come to hand except that the delegates of the State of New-York urged Congress to take up an act on their said Committee's report which they negatived. It undoubtedly the wisdom and good policy of republican governments, to inform their citizens of the management & circumstances of their political matters so far as that their opponent state and their adversaries may not take advantage of it. This then should be the criterion of the promulgation of public policy for it is injurious to the public good to expose the cabinet-councils so that enemies may avail themselves of such advantages. This maxim has ever been duly adhered to by the leading men of this State which has given occasion to some to censure those gentlemen in public trust tho' they have at the same time acted strenuously agreeable to the best good of the community. The short of the matter is that indiscriminate publication of state policy defeats itself and annihilates its own existence. I would by no means debar the populace of talking and plotting in politics, for this would deprive them of a great share of their happiness and importance, but I would not have them complain of their benefactors, nor alter the measures of their superiors. The Foreign policy of this government has been demonstrated to be good in the final consequences of it and the state is in good and respectable condition at present; it only remains

- That our courts of equity & law do impartial justice, & that our citizens support the honor and dignity of our laws & veritably combine to support our liberty & independency.

Yours most obedient & humble servant

Ethan Allen.

(S. M. see Chittenden's Letter to Congress April 26<sup>th</sup> . 17.

Both these letters published in N. Y. Gazette.

Nov 18<sup>th</sup> . 1784.) W. Stevens